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WEDNESDAY, JANUARY 5, 1921.

There is no flock, however watched and tended,
But one dead lamb is there;
There is no fireside, however defended,
But has one vacant chair.
—Longfellow.

First Build the Foundation.

WASHINGTON, as the National Capital, should be the intellectual center of the United States. To that end, in addition to what is already to be found here, there should be an archives building and a research university.

The Herald agrees with this statement of Representative Fess, Chairman of the House Committee on Education. But while Mr. Fess advocates this superstructure of education, he fails to realize that the foundation for it is lacking.

That foundation is, or should be, the finest, most complete and resultful system of public education to be found in the United States. The use of an archives building and of a research university depends primarily upon the perfection of the national system of education.

The time has long past when colleges and universities came first. The practice now is to provide first the feeders for these higher institutions of learning; to create the demand through perfecting the elementary or public schools.

Even in these schools, every educator agrees that primary attention should be given to the elementary grades. This has the double purpose of giving the most possible that is both useful and cultural to those who can go no farther, and to give the incentive to all who possibly can to take at least the high school courses.

To this end has come the junior high school, in which young people may discover themselves, adjust themselves vocationally, develop their right place in the world of endeavor and gain the desire to go on educationally until fully equipped.

In our judgment the committee which Mr. Fess heads should first of all make the public schools of Washington the model for all schools of the United States. It is such a model education, nationally considered, that is needed far more than an archives building or a research university.

It is a fact that no city in this country has such a model. Yet it is what all educators most desire. It is the most essential remaining need in national education. It would be for the millions and not for the hundreds.

As it is, educators go to one city for certain features in a model educational system, and to another for another feature. There is no city to which they can go and find them all. There is none where they can find manual training, art, music, physical culture, playgrounds and sports all in their right place and properly correlated with class room work and cultural courses.

There is nowhere to be found complete, or near complete correlation of the various subjects covered by the courses of study. There is nowhere a model course of study in actual operation, demonstrated by doing.

The Herald would submit to Mr. Fess and his committee that the first and highest good they can do is to provide this, here in Washington. Certainly the Committee on Education should not overlook the schools of the National Capital.

There was once a poet of Fiume, who felt quite cocky and plummy. He said, "With hot air, I'll get on a tear and paralyze those who come to me."

Hatred the Smallest Element.

Representative James E. Mann, speaking in the House on Monday, declared that the one thing in this country, all over the land, which "made Mr. Wilson the worst hated man the United States has seen in years, was the gross, wasteful extravagance of the officials of the present administration."

We believe Mr. Mann is mistaken. The American people are not using their time and effort "hating" the President nor any one else. Hating is the most wasteful and extravagant occupation in which anyone can engage. It certainly is not worth the cost to the individual.

The recent election was not the result of hatred, which is always blind, always the handmaiden of a mental "closed shop" and excessive prejudice. It is always, too, a boomerang. The election result would be no credit to the Republican party nor to Mr. Harding, if Mr. Mann was correct in his statement.

The fact is the election result was a consequence of clear thinking, of well thought, mature judgment. It was a conclusion reached slowly, with some misgiving and with reluctance as to many tens of thousands who had been ardent admirers of the President and were unwilling to have their vote appear to condemn him personally.

It is one thing to differ radically with a man's opinions, his acts, his judgment and his policies as to public matters, and quite another to condemn him personally, let alone hate him. In this country the most intimate friends frequently have these radical differences.

So it is that a great body of citizens who voted the Republican ticket, regarded Mr. Wilson as a man worthy of personal admiration, sincere, honest and staunchly American; a man of high ideals, but impractical.

They regarded him as a man of great intellectual power who, failed only as an executive

under almost unheard-of conditions. This body of voters far exceeded those who hated Mr. Wilson. In fact the latter were the least in number of the several groups who made up the Republican vote. The majority of that vote were influenced, indeed, as Mr. Mann correctly says, by the waste and extravagance of the administration officials. But that was a purse-vote, not one of hatred.

If Constantine had called in consultation "the best minds" of Greece, he might have stayed in Switzerland.

Industrial Peace.

The Pennsylvania Railroad Company and its employees are entitled to equal praise for their action in organizing to settle disputes by mutual agreement. This is one of the most hopeful auguries for the new year in the great field of industrial relations.

The plan includes all the operating forces of the system. It establishes a series of committees starting with those of the various divisions. The system is then divided into four regions with a committee for each.

The final organization is the "Joint Reviewing Committee of the Pennsylvania Railroad System." There is an agreement for appeal where the local or regional committees fail to agree, making a system similar to the courts of a State.

The management and the employees have equal representation on each committee. A decision requires a two-thirds vote, so that in a dispute either side must win the votes of a half of the other members.

This requirement is important as it would require a decided preponderance of evidence, or of argument, of fact and justice on one side, leaving little room for further complaint.

But the most significant feature is the agreement itself. It is that the great railroad orders of the largest railroad system in the world have become convinced that for their own interest, as well as that of the employing corporation and the public, every agency of agreement must be exhausted before a strike is called.

On the other side, it is an abandonment by the company management of any attitude of aloofness from the men, an admission of common interest and responsibility and that the old theory that a corporation must "run its own business" without interference from its employees, or any call to answer them, is of the dead past.

The right to strike is not surrendered, but it becomes, like many other so-called "natural rights," something to be maintained inviolate, but not to be used. In the final equation both sides must depend on just two resources.

One is the sense of justice of those mutually interested in maintaining a great property. In this self-interest opens the windows of common sense and fairness through which it may see beyond the narrow immediate issue, and weigh it with all related conditions.

The other is public opinion on which in all larger propositions both sides must depend for an ultimate decision. The evidence and arguments submitted to the committees can have the utmost publicity, and will have in any serious disagreement.

The underlying spirit of this plan, its mutual surrender of any semblance of hostility, its recognition of mutual responsibility and common ground, is a fine example of the modern view of industrial relations. It is an example of living together in harmony in the same house.

Unemployment seems to be growing everywhere in this country except along the Canadian border.

A Three-Power Job.

If Congress indulges in an interminable debate over disarmament, it will but add the cost of its time to the cost of ships. Debate is one thing; dispute is another.

Intelligent discussion is always welcomed by an intelligent public; fusing over ways to reach a desired end does not meet with like approval. Public opinion as to disarmament is very well settled. Congress should not disappoint it.

Great Britain and Japan have both expressed their willingness to radically reduce their naval programs, in harmony with the United States. If there is to be a result, this willingness should be put into concrete form. It should be challenged.

It is not necessary to complicate the proposition by including France and Italy or any other countries. None of them has a navy comparable to that of any of the three great naval powers.

None of them has an ambitious naval program, if indeed they have any that is definite, or of a size to be seriously considered. The seas controlled by the three. All rivalry in that control can only be between these three.

What they do is conclusive as to all the rest. Congress can fix the policy for the United States, not for Great Britain or Japan, save that if our policy is for naval expansion, the others will follow, so much is assured.

If it is for naval reduction, it is quite probable they will follow also as to this, even without specific agreement. Their national finances and public demand would quite certainly compel such action.

But if Congress will but act for a three-power conference and agreement while showing good faith by abandoning "the greatest navy in the world" policy, it will have overwhelming approval. Talking a public demand to death, or amending it to death belong to the dark ages of American politics.

Senator Borah's plan is simple, practical and sufficient. It does not need amendment, nor broadening. It expresses the public demand. If a decision upon it is merely avoided, the public will understand why.

The Russian Soviet is a government of, for and by the proletariat. To prove it, when working men demanded less than a 14-hour working day and enough wage to get something to eat, Soviet troops shot down 105 of them. Capitalistic government has much to learn from the Soviet.

In order to keep his records up to date, the New York police commissioner has asked everyone in that city as soon as they are robbed, to report the fact to him. He is in danger of getting complete copies of the hotel registers.

According to some moving pictures, a regiment of Bill Harts would have annihilated the German army in less time than it took the allies.

Who can imagine a reformed Chicago?

Open Court Letters to the Herald

Other Folks' Views on Topics of Current Interest

THE REAL JOKER IN THE PATENT BILL.

To the Editor, The Washington Herald:

Your Open Court column has done a needed public service in bringing to the attention of many for the first time that the patent bill, which has for its main object increase of pay for the underpaid examining force of the Patent Office and the needed increase of that force, also contains other and possibly unduly provisions riding in legal enactment on so worthy an issue.

It has been pointed out that this bill contains a "joker" in that Section 9, thereof makes provision whereby government employees may secure patents without the payment of the Patent Office fee, and that their exploitation shall be by governmental agency for the benefit of the employees. As the bill makes no exception of any class of employees, it is construed as a permitting Patent Office examiners to take out patents. Former Commissioner Newton contends that this does not happen because of a law forbidding this very thing. It may be a question, however, whether in view of that law and the broad general terms of this bill, that such inconsistency would exist as to make the enactment of the present bill a repeal of the former inconsistent law. If the intention is otherwise, it should be stated in the bill. If this practice were permitted, it would surely lead to much evil and help to destroy largely those features of our patent system and policy that inspire confidence and insure security to inventors for their ideas.

Section 9 is still a joker, however, as it gives the impression that government employees cannot take out patents. They are doing it all the time, and I have never known the right to do so to be questioned except in an ethical way, where invention has resulted in some technical employment under the government along the line of employment, or where the work of the employee leads directly to the inventive achievement, and, from the obligations of the employment, naturally gave the government a paramount right. The technical employee of the government has always graciously given to the public the result of his invention, and I have known a few such who could have patented and profited, but who have public the full benefit of their discovery, and no further provision of the law is needed to stimulate such a class to greater inventive effort. That there exists a need for the provision of Section 9 has never been apparent to the writer in a long experience in patent work, nor has he found it to exist in the mind of other patent attorneys. To support such a need would seem to require some special conditions or circumstances that are not generally known and which means a matter of common observation on the part of the public certainly not within his knowledge. Moreover, the provision is paternalistic in its nature, and imposes a burden on an already overburdened government. When we find that this paternalistic service is to be without any fee being charged the employee for the patent, and that the bill increases the fee for filing applications on the part of the present fee, it does seem proper to call this section a joker and to require for it more defense than has so far been made.

But the greatest joker in this bill is in section 3, which seeks to supplant section 487 of the Revised Statutes, which gives the Commissioner of Patents authority to disbar any person who is guilty of gross misconduct solely. Under section 483 he was given authority to establish regulations not inconsistent with law for the conduct of proceedings in the Patent Office. It is his duty to do so. Unwarranted expanded construction of this section that rules have been made governing the intimate conduct and practices of attorneys in the Patent Office, and in the Patent Office. The new section 487, as proposed by this bill not only seeks to write this doubtful exercise of authority into law, but in a law that is not tempered with the wholesome restriction of the present rule. 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